

## WAIVER OF SERVICE OF SUMMONS

FILED

IN CLERKS OFFICE

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks  
270 Madison Avenue  
New York, New York 10016

2004 JAN 20 P 3:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of STAVO BRUCIONE, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS FINANCIAL SERVICES COMPANY, and the MFS FUND vs. MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN H. BAILLIE, JEFFREY L. BRANES, KEVIN R. PARKER, LAWRENCE H. COHN, WILLIAM R. CUTOW, J. ATWOOD EVES, ABIGAIL H. O'NEILL, LAWRENCE T. PERERA, WILLIAM J. POONTO, J. DALE RUMMATT, ELAINE B. SMITH, RAND SMITH, JOHN DOE 1-50, JOHN DOE 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for theDistrict of Massachusetts

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after 16 Dec 2003

or within 90 days after that date if the request was sent outside the United States. (DATE REQUEST WAS SENT)

January 15, 2004

DATE



SIGNATURE

Printed/Typed Name: Carisa A. KlemeyerAs counsel for xx Lawrence H. Cohn  
(TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

## WAIVER OF SERVICE OF SUMMONS

FILED  
CLERKS OFFICETO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks  
270 Madison Avenue  
New York, New York 10016

2004 JAN 20 P 2:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of  
STAVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS FINANCIAL SERVICES COMPANY and the "MFS FUNDS".

VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, BON LIFE FINANCIAL INC., JOHN V. BALLEW, JEFFREY L. BARNES, KEVIN R. PARKER, LAWRENCE R. COON, WILLIAM B. GUTOW, J. ATWOOD IVES, ANDY R. O'NEILL, LAWRENCE T. PERINA, WILLIAM J. POOGYU, J. DALE SCHNEIDER, BLAINE A. SMITH, RAND SMITH, JOHN DOES 1-50, JOHN DOES 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for theDistrict of Massachusetts

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(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

January 15, 2004

DATE



SIGNATURE

Printed/Typed Name: Carisa A. KlemeyerAs counsel for Mr William R. Gutow  
(TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

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## WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks  
270 Madison Avenue  
New York, New York 10016

FILED  
 U.S. CLERK'S OFFICE

2003 JAN 20 P 3:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of  
STAVO BRUCKNER, derivatively on behalf of the MPS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR FUND, and the MPS FUND  
DISTRICT OF MASS.

vs.  
MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. BAKER, KEVIN R. PARIN, LAWRENCE R. CONN, WILLIAM R. GUTOW, J. ATWOOD IVES, ADAM R.  
O'NEILL, LAWRENCE T. PERREA, WILLIAM J. POOKYU, J. DALE MERRITT, BLAINE R. SHUTE, RAND SMITH, JOHN DOSS 1-50, JOHN DOSS 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for the

District of Massachusetts

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January 15, 2004  
 DATE

  
 SIGNATURE  
 Printed/Typed Name: Carisa A. Klemeyer  
 As counsel for  J. Atwood Ives  
 (TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

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## WAIVER OF SERVICE OF SUMMONS

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CLERK'S OFFICE

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks  
270 Madison Avenue  
New York, New York 10016

2004 JAN 20 P 3:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

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STAVO BRUCKNER, derivatively on behalf of the MPS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS STATE TRUST FUND, and the MPS FUND

vs.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. BROWN, KEVIN R. PARKER, LAWRENCE B. COHEN, WILLIAM R. CUTOW, J. ATWOOD EVANS, ARTHUR R. O'NEILL, LAWRENCE T. PERERA, WILLIAM J. POOKYU, J. DALE SHERBART, HELEN R. SWETZ, RAND SMITH, JOHN DOWES 1-50, JOHN DOWES 51-100

(CAPTION OF ACTION)

which is case number

03-12483 MEL

in the United States District Court for the

District of Massachusetts

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January 15, 2004

DATE



SIGNATURE

Printed/Typed Name: Carisa M. KlemeyerAs counsel for x Lawrence T. Perera  
(TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

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## WAIVER OF SERVICE OF SUMMONS

TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks  
270 Madison Avenue  
New York, New York 10016

FILED  
CLERKS OFFICE

2004 JAN 20 P 3:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of STAVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEY, JEFFREY L. BARNES, KRISTEN R. PARKER, LAWRENCE E. COHN, WILLIAM H. CUTON, J. ATWOOD EYRS, ABBY N. O'NEILL, LAWRENCE T. PARKER, WILLIAM J. POQUITO, J. DALE SCHREIBER, BLAINE R. SMITH, WARD SMITH, JOHN DORE 1-50, JOHN DORE 51-100

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for the

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16 Dec 2003

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

January 15, 2004

DATE

  
SIGNATURE

Printed/Typed Name: Carisa A. Klemeyer

As counsel for atx Abby M. O'Neill  
(TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

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TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Rinton, Steven Brooks  
270 Madison Avenue  
New York, New York 10016

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

2004 JAN 20 P 3-05

I acknowledge receipt of your request that I waive service of a summons in the action of  
STAVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTMENT FUND and the "MFS FUND  
MASSACHUSETTS FINANCIAL SERVICES COMPANY, FAM LIFE FINANCIAL INC., JOHN W. BALKIN, JEFFREY L. BERNSTEIN, KEVIN R. PARKER, LAWRENCE H. COHEN, WILLIAM R. CUTON, J. ATWOOD EYRS, ABBY H.  
O'NEILL, LAWRENCE T. PEREIRA, WILLIAM J. POORVU, J. DALE SHERRATT, ELAINE R. SMITH, WARD SMITH, JOHN DORN 1-50, JOHN DORN 51-100

(CAPTION OF ACTION)

which is case number

03-12483 MEL

in the United States District Court for the

District of Massachusetts

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

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16 Dec 2003

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

January 15, 2004

DATE



SIGNATURE

Printed/Typed Name: Carisa A. KlemeyerAs counsel for  William J. Poorvu  
 (TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

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CLERKS OFFICETO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks  
270 Madison Avenue  
New York, New York 10016

2004 JAN 20 P 3:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of DISTRICT COURT  
DISTRICT OF MASS.  
STAVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR TRUST and the MFS FUND

VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, SUN LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. BRAUN, KEVIN R. PARKER, LAWRENCE R. CONN, WILLIAM R. CUTON, J. ATWOOD EVES, ARTHUR R. O'NEILL, LAWRENCE T. PEREIRA, WILLIAM J. POONTO, J. DALE SHERRATT, BLAINE R. SMITH, WARD SMITH, JOHN DODD 1-88, JOHN DODD 51-308

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for theDistrict of Massachusetts.

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January 15, 2004

DATE



SIGNATURE

Printed/Typed Name: Carisa A. KlemeyerAs counsel for J. Dale Sherratt  
(TITLE) (CORPORATE DEFENDANT)

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TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks  
 270 Madison Avenue  
 New York, New York 10016

2004 JAN 20 P 3:05

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I acknowledge receipt of your request that I waive service of a summons in the action of **DISTRICT COURT**  
**DISTRICT OF MASS.**  
 STEVO BRUCKNER, derivatively on behalf of the MFS CAPITAL OPPORTUNITIES FUND, the MASSACHUSETTS INVESTOR TRUST and the "MFS FUND

VS.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, NEW LIFE FINANCIAL INC., JOHN W. BAILLIE, JEFFREY L. SHANAHAN, KEVIN R. PARKER, LAWRENCE R. COHN, WILLIAM B. GUYON, J. ATWOOD IVES, ANDY H. O'NEILL, LAWRENCE T. PEREIRA, WILLIAM J. PODGURZ, ELAINE R. SMITH, WARD SMITH, JOHN DOUG 1-80, JOHN DOUG 81-180

(CAPTION OF ACTION)

which is case number 03-12483 MEL in the United States District Court for theDistrict of Massachusetts.

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DATE



SIGNATURE

Printed/Typed Name: Carisa A. KlemeyerAs counsel for xxx Ward Smith

(TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

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TO: Daniel Krasner, Fred Isquith, Mark Rifkin, Robert Abrams, Christopher Hinton, Steven Brooks  
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 vs.

MASSACHUSETTS FINANCIAL SERVICES COMPANY, NEW LIFE FINANCIAL INC., JOHN W. BALLEW, JEFFREY L. SHAMES, KEVIN R. PARKER, LAWRENCE H. COHEN, WILLIAM R. GUTOW, J. ATWOOD EVES, ABIGAIL N.  
 O'KEEILLE, LAWRENCE T. PERIN, WILLIAM J. POORTV, J. DALE SHERBATT, HELEN R. SMITH, RAND SMITH, JOHN DOG 1-50, JOHN DOG 51-100

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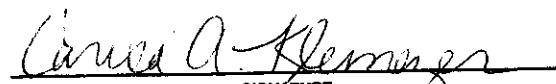
16 Dec 2003

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January 15, 2004

DATE



SIGNATURE

Printed/Typed Name: Carisa A. KlemeyerAs counsel for Elaine R. Smith  
 (TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver. It is not good cause for a failure to waive service that a party believes that the complaint is unfounded or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

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Re: MASSACHUSETTS FINANCIAL SERVICES 03-12483 mel

Gentlemen;

Please file these waivers of service and return to us the copies stamped as filed in the enclosed envelope. Thank you.

Sincerely,

Joseph Weiss  
Legal Assistant